

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In the Matter of the Application of

HARTFORD FIRE INSURANCE COMPANY,

Petitioner,

- against -

THE EVERGREEN ORGANIZATION, INC.,
CHARLES CARONIA, SR., GARY UPHOUSE,
CHARLES CARONIA, JR., and ANDREJS
KRUTAINIS,

Respondents.

Civil Action No.07-CV-7977 (RJS)

**NOTICE OF CROSS-PETITION
FOR JUDGMENT CONFIRMING
ARBITRATION AWARD**

PLEASE TAKE NOTICE THAT, upon the Cross-Petition of Respondents The Evergreen Organization, Inc. ("Evergreen") and Charles Caronia, Sr., Gary Uphouse, Charles Caronia, Jr., and Andrejs Krutainis (collectively, the "Individual Respondents") ("Evergreen" and the Individual Respondents" are sometimes collectively referred to as "Respondents"), the exhibits annexed thereto, and the accompanying Memorandum of Law in Support of Cross-Petition for Judgment Confirming Arbitration Award and in Opposition to Hartford's Petition for Judgment Confirming Arbitration Award, pursuant to 9 U.S.C. § 9, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York 10007, on _____, 2007, at ____ a.m., or as soon thereafter as counsel may be heard, for following:

- (1) Entry of Judgment of the Final Arbitration Award by the
Arbitration Panel in the arbitration captioned Hartford Fire
Insurance Co. v. The Evergreen Organization, Inc., et al.;
and

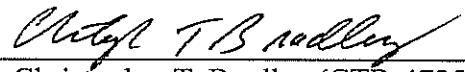
- (2) Granting such other and further relief as the Court deems
just and proper.

Pursuant to Local Civil Rule 6.1(b), answering papers, if any, are required to be
served upon the undersigned within (10) business days after service of this petition.

Dated: October 16, 2007
New York, New York

Respectfully submitted,

MARSHALL, CONWAY, WRIGHT
& BRADLEY, P.C.

By: 
Christopher T. Bradley (CTB-4725)
Attorneys for The Evergreen Organization,
Inc., Charles Caronia, Sr., Gary Uphouse,
Charles Caronia, Jr., and Andrejs Krutainis
116 John Street
New York, New York 10038
(212) 619-4444